

## Calendar No. 935

106TH CONGRESS  
2D SESSION**S. 1697****[Report No. 106-486]**

To authorize the Secretary of the Interior to refund certain collections  
received pursuant to the Reclamation Reform Act of 1982.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 1999

Mr. SMITH of Oregon (by request) introduced the following bill; which was  
read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 4 (legislative day, SEPTEMBER 22), 2000

Reported by Mr. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To authorize the Secretary of the Interior to refund certain  
collections received pursuant to the Reclamation Reform  
Act of 1982.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This title may be cited as the “Reclamation Reform  
5       Refund Act of 1999”.

1 **SEC. 2. REFUND OF CERTAIN AMOUNTS RECEIVED UNDER**  
 2 **RECLAMATION REFORM ACT OF 1982.**

3 (a) **REFUND REQUIRED.**—Subject to subsections (b)  
 4 and (c) and the availability of appropriations, the Sec-  
 5 retary of the Interior is authorized to refund fully amounts  
 6 received by the United States as payments for charges as-  
 7 sessed by the Secretary before January 1, 1994, for failure  
 8 to file certain certification or reporting forms prior to the  
 9 receipt of irrigation water, pursuant to sections 206 and  
 10 224(e) of the Reclamation Reform Act of 1982 (herein-  
 11 after referred to as the “Act”) (96 Stat. 1266, 1272; 43  
 12 U.S.C. 390ff, 390ww(e)). Any refund issued pursuant to  
 13 this subsection shall include the amount of associated in-  
 14 terest assessed by the Secretary and paid to the United  
 15 States pursuant to section 224(I) of the Reclamation Re-  
 16 form Act (101 Stat. 1330–268; 43 U.S.C. 390ww(I)).

17 (b) **ADMINISTRATIVE FEE.**—Except with respect to  
 18 the 1987 water year, refunds made pursuant to subsection  
 19 (a) shall be reduced by an administrative fee of \$260 for  
 20 each failure to file certification or reporting forms.

21 (c) **LIMITATION.**—Nothing in this title shall be con-  
 22 strued as authorizing any refund of amounts paid to the  
 23 United States in the compromise or settlement of any  
 24 charge, claim, appeal, or dispute under the Act.

1        ~~(d) AUTHORIZATION OF APPROPRIATIONS.—There~~  
 2        ~~are authorized to be appropriated to carry out this section~~  
 3        ~~\$1,000,000.~~

4        **SECTION 1. SHORT TITLE.**

5        *This title may be cited as the “Reclamation Reform*  
 6        *Refund Act of 2000”.*

7        **SEC. 2. REFUND OF CERTAIN AMOUNTS RECEIVED UNDER**  
 8        **RECLAMATION REFORM ACT OF 1982.**

9        (a) *REFUND REQUIRED.—Subject to the availability*  
 10        *of appropriations, the Secretary of the Interior is author-*  
 11        *ized and directed to refund fully amounts received by the*  
 12        *United States as payments for charges assessed by the Sec-*  
 13        *retary before January 1, 1994, for failure to file or properly*  
 14        *file certain certification or reporting forms pursuant to sec-*  
 15        *tions 206 and 224(c) of the Reclamation Reform Act of 1982*  
 16        *(43 U.S.C. 390ff, 390ww(c)) prior to the receipt of irriga-*  
 17        *tion water. Such refunds shall be made regardless of whether*  
 18        *such payments were required by the United States, were*  
 19        *made pursuant to a compromise or settlement (whether*  
 20        *court approved or otherwise), or were otherwise received by*  
 21        *the United States. Any refund issued pursuant to this sub-*  
 22        *section shall include the amount of associated interest as-*  
 23        *essed by the Secretary and paid to the United States pur-*  
 24        *suant to section 224(i) of that Act (43 U.S.C. 390ww(i)).*

1       **(b) AUTHORIZATION OF APPROPRIATIONS.**—*There are*  
2 *authorized to be appropriated to carry out this section such*  
3 *sums as necessary.*



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